

PROGRAM DESCRIPTION

Department of Public Safety

HB Section(s): 08.145

Program Name: Administrative Disciplinary

Program is found in the following core budget(s): ATC Core Budget

1a. What strategic priority does this program address?

Increase Industry Knowledge of Liquor Laws
Increase Industry Participation in Administrative Rules Reviews and Statutes
Improve the Quality, Efficiency and Economy of Service Provided
Increase the Safety of the State of Missouri by Reducing Alcohol Related Problems

1b. What does this program do?

Administrative Discipline - The liquor control laws and the state's system of alcoholic beverage regulations are designed to ensure the public health and safety as affected by intoxicating liquor. The Division is authorized by statute to take disciplinary action against any licensee who violates any provision of Chapter 311, RSMo, or any regulation relating to intoxicating liquor. This chapter and the rules and regulations prohibit, for example, sales of alcohol to minors or to intoxicated persons or lewd activity on licensed premises, and sales or possession of controlled substances on a licensed premises. The statutory provisions allows warnings, suspensions, revocations, probation or fines for violations of liquor statutes or regulations, thereby helping to ensure conduct of licensees in the liquor business in accordance with public safety requirements. In addition, the division is authorized by statute to inspect stores and tobacco outlets for compliance with all laws related to access to tobacco and alternative nicotine products to minors and to take disciplinary measures against those in violation.

Product Registration - Law requires licensed Missouri solicitors and manufacturers to register brands of intoxicating liquors for sale to licensed wholesalers with the Division of Alcohol and Tobacco Control. Product registration gives us assurances that all excise taxes due the State of Missouri are paid, and that the product goes through the proper safeguards to ensure product integrity. We also can verify if the licensee holds the proper license to sell the product, and we have the ability to quickly remove tainted product from the market, if necessary.

Support Organization - Provides administrative, technical and managerial support to assist in the administrative and regulatory compliance of Missouri's liquor control and youth access to tobacco laws. Included in this area are education, budgeting, purchasing, financial, personnel/payroll support, fleet management and legislative duties.

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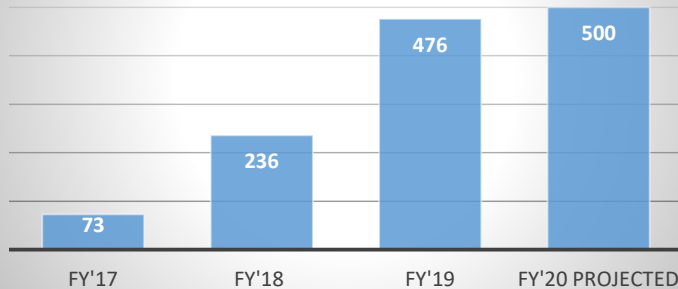
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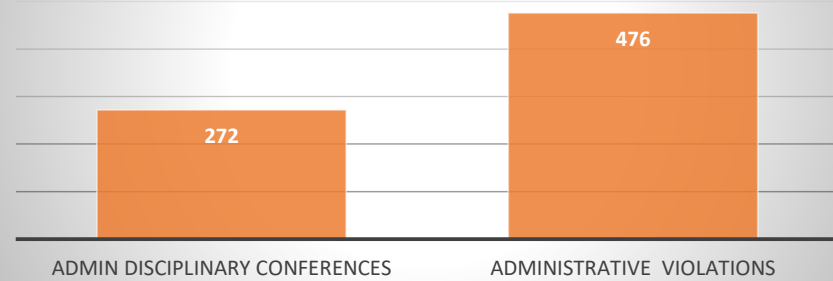
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2a. Provide an activity measure(s) for the program.

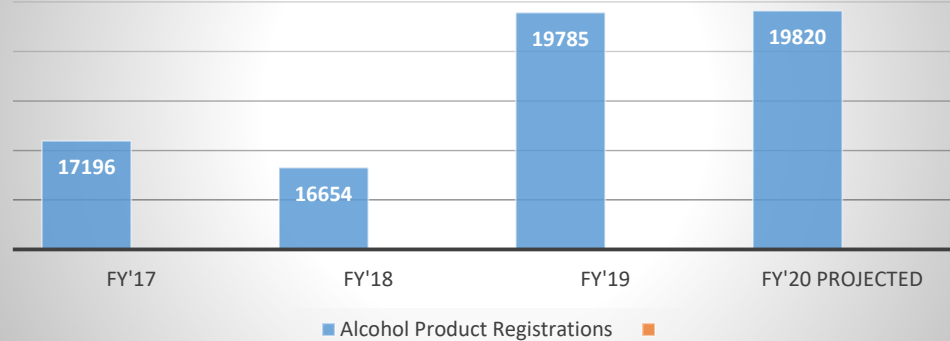
Administrative Violations



Administrative Disciplinary Actions - FY'19



Primary American Source of Supply



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2b. Provide a measure(s) of the program's quality.

- Ratio of administrative expenses to total PS & EE
- Ratio of administrative employees to total employees 3/35 or 9%

PS - \$135,844, 3 admin FTE

State Supervisor (50% Admin/50% Disciplinary), Chief of Enforcement(50% Admin/50% Disciplinary), , Administrative Services Manager(50% Admin/50% Audit), , Executive I (2) (50% Admin/50% Licensing), Auditor (50% Admin/50% Disciplinary),

E&E - \$19,941

For supplies, postage, etc.

Total Admin Costs - \$155,785 or 6% of Budget consists of Administrative Costs, and 9% of staff.

Administrative services support the overall functions of the Division of Alcohol and Tobacco operations and improve the efficiency and

2c. Provide a measure(s) of the program's impact.

Administrative Disciplinary Actions	FY'2018	FY'2019
Total Number of Conferences Held	166	272
Total Number of Violations (Charges)	236	476
Number of Fines Issued	110	278
Amount of Fines Issued	\$ 66,720	\$ 408,700
Dismissals	8	16
Revocations	4	5
Suspensions	31	44
Total Days of Suspension	N/A	208
Written Warnings	27	105
Unlawful Sale to Minor Charges	125	161
Smallest Fine Amount	\$ 200	\$ 100
Largest Fine Amount	\$ 25,000	\$ 50,000
Shortest Period of Suspension	2 days	2 days
Longest Period of Suspension	30 days	15 days

The ATC Administrative Disciplinary process provides for an informal conference that allows licensees who have been charged with a violation of the liquor control laws to meet with the State Supervisor to provide an opportunity to explain the details of the situation, and provide examples of what they have done to prevent another violation from occurring. The state supervisor will issue penalties after the informal conference.

All fines go to the local school district where the violation occurred. This provides financial assistance to schools.

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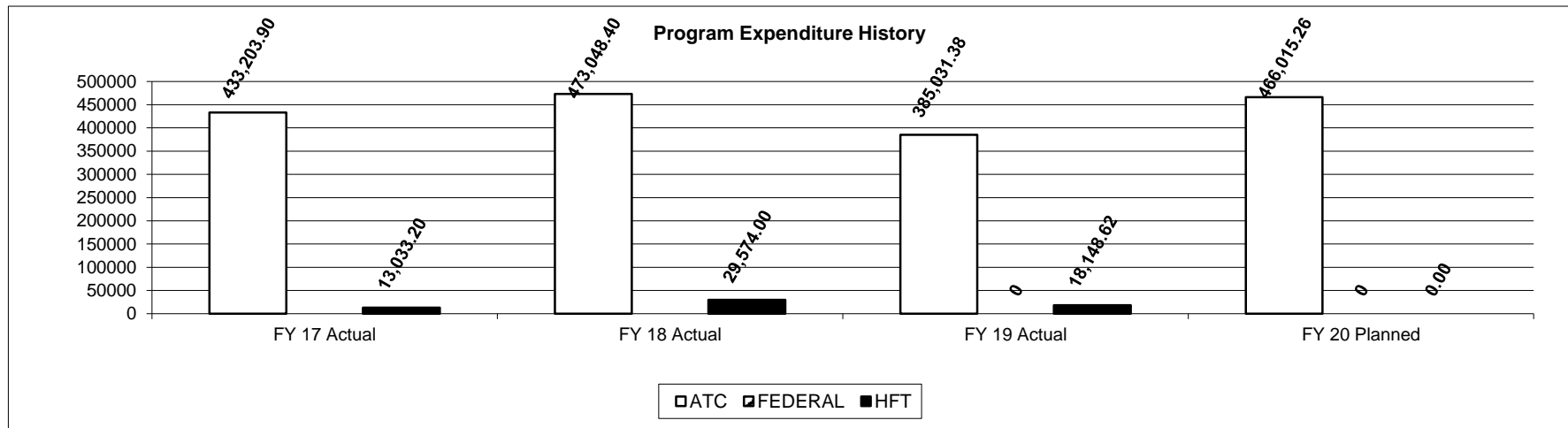
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2d. Provide a measure(s) of the program's efficiency.

The regulation requiring salesman of liquor manufacturers and wholesalers to obtain salesman permits from the Division was rescinded on January 30, 2019 by the Division. The permitting process was a time consuming procedure for both ATC and the manufacturers and wholesalers who were required to submit applications for every salesman on their staff. ATC estimates \$10,000 in savings by eliminating this requirement.

3. Provide actual expenditures for the prior three fiscal years and planned expenditures for the current fiscal year. (*Note: Amounts do not include fringe benefit costs.*)



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4. What are the sources of the "Other " funds?

In FY'2018 and FY'2019, the source of ATC's Other funds came from the ATC Dedicated Fund and the Healthy Family Trust Funds (HFT). In FY'20, the HFT funds were eliminated, and the core funding was transferred to the ATC Dedicated Fund.

5. What is the authorization for this program, i.e., federal or state statute, etc.? (Include the federal program number, if applicable.)

Administrative Discipline is mandated by Sections 311.660, 311.680, 407.931 and 407.934, RSMo. Brand Registration laws are under Sections 311.275, 311.510, 311.540, RSMo, and 11 CSR 70-2.060.

6. Are there federal matching requirements? If yes, please explain.

No

7. Is this a federally mandated program? If yes, please explain.

No